

REMARKS

I. Status Summary

Claims 1-8, 12-15, 18-24, and 31 were pending in the present application. Claim 11 is currently pending. However, claims 1-8, 11-15, 18-24, and 31 have been cancelled by the instant amendment without prejudice. Applicants hereby reserve the right to file one or more divisional patent applications directed to the unelected subject matter.

The Patent Office has refused entry of Amendment B and the 37 C.F.R. § 1.131 Declaration submitted therewith, filed October 7, 2005. As such, the rejection of claims 1-8, 12-15, 18-24, and 31 under 35 U.S.C. § 103(a) has been maintained.

The Patent Office has objected to claim 11, indicating that it would be allowable if submitted in a separate, timely filed amendment cancelling the non-allowable claims.

II. Response to the Rejection of Claims 1-8, 12-15, 18-24, and 31

Under 35 U.S.C. § 103(a)

The Patent Office has refused entry of Amendment B and the 37 C.F.R. §1.131 Declaration filed therewith. Particularly, the Patent Office asserts that applicants did not provide sufficient reasons for not earlier presenting the Declaration. Accordingly, the rejection of claims 1-8, 12-15, 18-24, and 31 under 35 U.S.C. § 103(a) has been maintained.

The Patent Office further asserts that the amendment to claim 31 presented in Amendment B raised new issues of search and consideration, as well as the possibility of new matter.

In response, applicants respectfully submit that claims 1-8, 12-15, 18-24, and 31 have been cancelled in the instant amendment. However, by cancelling these claims, applicants do not acquiesce to the accuracy of the Patent Office's

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assertions and reserve the right to pursue the cancelled claims in one or more continuing patent applications.

Accordingly, applicants respectfully request that the instant rejection of claims 1-8, 12-15, 18-24, and 31 under 35 U.S.C. § 103(a) be withdrawn at this time.

### III. Response to the Objection to Claim 11

In the Advisory Action, the Patent Office has objected to claim 11. However, the Patent Office has indicated that claim 11 would be allowable if submitted in a separate, timely filed amendment cancelling non-allowable claims 1-8, 12-15, 18-24, and 31.

In response, applicants respectfully submit that claims 1-8, 12-15, 18-24, and 31 have been cancelled in the instant amendment. As such, applicants respectfully request that the objection to claim 11 be withdrawn at this time and a Notice of Allowance issued.

### CONCLUSION

In light of the above amendments and remarks, it is respectfully submitted that the present application is now in proper condition for allowance, and an early notice to such effect is earnestly solicited.

If any small matter should remain outstanding after the Patent Examiner has had an opportunity to review the above Remarks, the Patent Examiner is respectfully requested to telephone the undersigned patent attorney in order to resolve these matters and avoid the issuance of another Official Action.

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DEPOSIT ACCOUNT

A check in the amount of \$1,360.00 (\$790.00 representing the RCE fee and \$570.00 representing the Petition for Extension of Time fee for a large entity) is enclosed herewith in connection with the filing of this correspondence, and the Commissioner is hereby authorized to charge any other fee associated with the filing of this correspondence, to Deposit Account No. 50-0426.

Respectfully submitted,

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